



00270

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/053,194
Filing Date	01/16/2002
First Named Inventor	Guangping Gao et al
Group Art Unit	1648
Examiner Name	S. Foley
Attorney Docket Number	GNVFN.037BUSA

Total Number of Pages in This Submission

6

**ENCLOSURES (check all that apply)**

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify below):

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual nameCathy A. Kodroff, Esquire  
Howson and Howson

Signature

Date

4/8/2002

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 04/08/2002

Typed or printed name

Debra N. Gerstemeier

Signature

Date

4-8-2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED

APR 17 2002



00270  
PATENT TRADEMARK OFFICE  
GNV PN.037BUSA

#22W

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of ) Group Art Unit: 1648  
Guangping Gao et al )  
Appln. No. 10/053,194 ) Examiner: S. Foley  
Filed: January 16, 2002 )  
For: CELL LINES AND CONSTRUCTS ) April 8, 2002  
USEFUL IN PRODUCTION OF )  
E1-DELETED ADENOVIRUSES IN )  
ABSENCE OF REPLICATION )  
COMPETENT ADENOVIRUS )

TECH CENTER 1600/2900

RECEIVED  
APR 17 2002

Commissioner for Patents  
U.S. Patent and Trademark Office  
Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit to the Examiner the attached Form PTO/SB/08A/B document listing and this paper pursuant to 37 CFR §1.56 and § 1.97-1.98. Form PTOSB/08A/B and this paper identify documents previously cited in the parent application, U.S. Patent Application No. 09/659,203, filed September 11, 2000, now U.S. Patent No. 6,365,394, issued April 2, 2002.

CERTIFICATE UNDER 37 CFR §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: the Assistant Commissioner for Patents, Washington, DC 20231 on April 8, 2002.

Signature Debra N. Gerstemeier

Typed or printed name Debra N. Gerstemeier

APR 15 2002

According to 37 CFR § 1.98(d), Applicants have not enclosed copies of any U.S. patents, publications or other documents listed herein, which listed items were previously cited by or submitted to the United States Patent and Trademark Office in parent U. S. Patent Application No. 09/659,203, filed September 11, 2000, (issued). The parent patent application is relied upon herein for an earlier priority date under 35 USC §120.

A copy of the International Search Report issued in corresponding International Patent Application No. PCT/US00/40872 is enclosed for the purpose of identifying the passages considered relevant by the International Search Authority.

This Information Disclosure Statement is submitted within three months of the filing date of this application, and prior to receipt of an Office Action on the merits. Therefore, no fees are believed due. However, the Director of the U. S. Patent and Trademark Office is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees paid on the filing, or during prosecution of this application to Deposit Account No. 08-3040.

Item (AB) is the patent which issued in the parent application. Item (AM) is the corresponding International patent application.

The Examiner is respectfully requested to consider the documents identified in this paper and in the attached Form PTO/SB/08A/B during the course of the examination of this application.

Respectfully submitted,

HOWSON AND HOWSON  
Attorneys for the Applicants

By Cathy A. Kodroff  
Cathy A. Kodroff  
Registration No. 33,980  
Spring House Corporate Center  
Box 457  
Spring House, PA 19477  
Telephone: (215) 540-9210  
Telefacsimile: (215) 540-5818

Please type a plus sign(+) inside this box → ☐



PTO/SB/08A (08-00)

Substitute for Form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/053,194
				Filing Date	January 16, 2002
				First Named Inventor	Guangping Gao et al
				Group Art Unit	1648
				Examiner Name	S. Foley
Sheet	1	of	3	Attorney Docket Number	GNVPN.037BUSA

RECEIVED  
 APR 17 2002  
 TECH CENTER 1600/2800

**U.S. PATENT DOCUMENTS**

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	AA	5,891,690	B1	B. Massie	04/06/1999	Col. 9, lines 31-50, entire document
	AB	6,365,394	B1	G. Gao	04/02/2002	entire document

**FOREIGN PATENT DOCUMENTS**

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AL	WO	WO97/00326	A1	F. Fallaux	01/03/1997	entire document	
	AM	WO	WO01/23597	A3	G. Gao	04/05/2001		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Please type a plus sign(+) inside this box → ☐

PTO/SB/08B (08-00)

Substitute for Form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/053,194	
			Filing Date	January 16, 2002	
			First Named Inventor	Guangping Gao et al	
			Group Art Unit	1648	
			Examiner Name	S. Foley	
Sheet	2	of	3	Attorney Docket Number	GNVPN.037BUSA

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiners Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AR	Y. DAI et al, "Cellular and Humoral Immune Responses to Adenoviral Vectors Containing Factor IX Gene: Tolerization of Factor IX and Vector Antigens Allows for Long Term Expression", Proc. Natl. Acad. Sci. USA, 92:1401-1405 (February, 1995)	
	AS	F. FALLAUX et al, "New Helper Cells and Matched Early Region 1-Deleted Adenovirus Vectors Prevent Generation of Replication-Competent Adenoviruses", Hum. Gene Ther., 9:1909-1917 (September, 1998)	
	AT	G. GAO et al, "Biology of Adenovirus Vectors with E1 and E4 Deletions for Liver Directed Gene Therapy", J. Virol., 70:8934-8943 (December, 1996)	
	AU	H. GILGENKRANTZ et al, "Transient Expression of Genes Transferred In Vivo into Heart Using First-Generation Adenoviral Vectors: Role of the Immune Response", Hum. Gene Ther., 6:1265-1274 (December, 1995)	
	AV	N. HABIB et al, "A Phase I/II Study of Hepatic Artery Infusion with stp53-CMV-Ad in Metastatic Malignant Liver Tumors", Hum. Gene Ther., 10:2019-2034 (October, 1999)	
	AW	K. HEHIR et al, "Molecular Characterization of Replication-Competent Variants of Adenovirus Vectors and Genome Modification to Prevent their Occurrence", J. Virol., 70:8459-8467 (December, 1996)	
	AX	J. IMLER et al, "Trans-Complementation of E1-Deleted Adenovirus: A New Vector to Reduce the Possibility of Co-Dissemination of Wild Type and Recombinant Adenoviruses", Gene Ther., 3:75-84 (June, 1995)	
	AY	J. IMLER et al, "Novel Complementation Cell Lines Derived from Human Lung Carcinoma A549 Cells Support the Growth of E1-Deleted Adenovirus Vectors", Gene Ther., 3:75-84 (January, 1996)	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

RECEIVED

APR 17 2002  
TECH CENTER 1600/2900



Please type a plus sign(+) inside this box → ☐



PTO/SB/08B (08-00)

Substitute for Form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Complete if Known	
				Application Number	10/053,194
				Filing Date	January 16, 2002
				First Named Inventor	Guangping Gao et al
				Group Art Unit	1648
				Examiner Name	S. Foley
Sheet	3	of	3	Attorney Docket Number	GNVPN.037BUSA

RECEIVED  
 APR 17 2002  
 TECH CENTER 1600 2900

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS				
Examiners Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
	AZ	H. LOCHMULLER et al, "Emergence of Early Region 1-Containing Replication-Competent Adenovirus in Stocks of Replication-Defective Adenovirus Recombinants ( $\Delta$ E1 and $\Delta$ E3) During Multiple Passages in 293 Cells", Hum. Gene Ther., 5:1485-1491 (December, 1994)		
	AAR	J. WILSON et al, "Gene Therapy of Cystic Fibrosis Lung Disease Using E1 Deleted Adenoviruses: A Phase I Trial", Hum. Gene Ther., 5:501-519 (April, 1994)		
	AAS	Y. YANG et al, "Cellular Immunity to Viral Agents Limits E1-Deleted Adenoviruses for Gene Therapy", Proc. Natl. Acad. Sci. USA, 91:4407-4411 (May, 1994)		
	AAT	H. ZHOU et al, "Development of a Complementing Cell Line and a System for Construction of Adenovirus Vectors with E1 and E2a Deleted", J. Virol., 70:7030-7038 (October, 1996)		
	AAU	J. ZHU et al, "Characterization of Replication-Competent Adenovirus Isolates from Large Scale Production of a Recombinant Adenoviral Vector", Hum. Gene Ther., 10:113-121 (January, 1999)		
	AAV	G. GAO et al, "A Cell Line for High-Yield Production of E1-Deleted Adenovirus Vectors without the Emergence of Replication-Competent Virus", Hum. Gene Ther., 11:213-219 (January, 2000)		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.